

Fill in this information to identify the case:

United States Bankruptcy Court for the:

____ District of Delaware
(State)Case number (if known): 19- Chapter 7☐ Check if this is an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

04/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name Arik Air USA LLC

2. All other names debtor used in the last 8 years

Include any assumed names, trade names, and *doing business* as names

3. Debtor's federal Employer Identification Number (EIN) _____

4. Debtor's address

Principal place of business

Mailing address, if different from principal place of business

Number Street

P.O. Box 91

West Dover VT 05356

City State ZIP Code

Number Street

P.O. Box

City State ZIP Code

Location of principal assets, if different from principal place of business

USA

County

Number Street

City State ZIP Code

5. Debtor's website (URL) _____

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))☐ Partnership (excluding LLP)☐ Other. Specify: _____

Debtor

Arik Air USA LLC
Name

Case number (if known) 19-

7. Describe debtor's business

A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

B. Check all that apply:

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

4 8 8 1

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- ☒ Chapter 7
- ☐ Chapter 9
- ☐ Chapter 11. Check all that apply:
- ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.
- ☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

☒ No

☐ Yes. District _____ When _____ Case number _____
MM / DD / YYYY

District _____ When _____ Case number _____
MM / DD / YYYY

If more than 2 cases, attach a separate list.

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

☐ No

☒ Yes. Debtor Arik Air International USA LLC Relationship Affiliate

District Delaware When _____

Case number, if known _____

List all cases. If more than 1, attach a separate list.

Debtor

Arik Air USA LLC

Name

Case number (if known) 19-

11. Why is the case filed in *this* district?*Check all that apply:*

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

- ☒ No
- ☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? *(Check all that apply.)*

- ☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.
What is the hazard? _____
- ☐ It needs to be physically secured or protected from the weather.
- ☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).
- ☐ Other _____

Where is the property?

Number _____ Street _____

City _____ State _____ ZIP Code _____

Is the property insured?

- ☐ No
- ☐ Yes. Insurance agency _____
- Contact name _____
- Phone _____

Statistical and administrative information**13. Debtor's estimation of available funds***Check one:*

- ☐ Funds will be available for distribution to unsecured creditors.
- ☒ After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

14. Estimated number of creditors

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> 1-49 | <input type="checkbox"/> 1,000-5,000 | <input type="checkbox"/> 25,001-50,000 |
| <input type="checkbox"/> 50-99 | <input type="checkbox"/> 5,001-10,000 | <input type="checkbox"/> 50,001-100,000 |
| <input type="checkbox"/> 100-199 | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input type="checkbox"/> 200-999 | | |

15. Estimated assets

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> \$0-\$50,000 | <input type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

Debtor Arik Air USA LLC Case number (if known) 19-
Name

16. Estimated liabilities

- | | | |
|--|--|--|
| <input type="checkbox"/> \$0-\$50,000 | <input checked="" type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor

- ☐ The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.
- ☐ I have been authorized to file this petition on behalf of the debtor.
- ☐ I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 12/09/2019
MM / DD / YYYY

X /s/ Robert Brunner

Signature of authorized representative of debtor

Title Authorized Signatory

Robert Brunner

Printed name

18. Signature of attorney

X /s/ Morgan L. Patterson

Signature of attorney for debtor

Date 12/09/2019

MM / DD / YYYY

Morgan L. Patterson

Printed name

Womble Bond Dickinson (US) LLP

Firm name

1313 North Market Street, Suite 1200

Number Street

Wilmington

City

DE

State

19801

ZIP Code

(302) 252-4326

Contact phone

morgan.patterson@wbd-us.com

Email address

5388

Bar number

DE

State

**OFFICER'S CERTIFICATE OF
ARIK AIR USA LLC**

December 9, 2019

The undersigned, as a duly elected, qualified, and acting Officer of Arik Air USA LLC, a Delaware Limited Liability Company (the "Company"), does hereby certify on behalf of the Company, and not in any individual capacity, that:

1. Attached hereto as Exhibit A is a true, correct, and complete copy of the resolutions duly adopted by the governing authority of the Company.

IN WITNESS WHEREOF, I have hereunto signed my name as of the date first written above, solely in my capacity as an Officer of Arik Air USA LLC and not in my individual capacity.

/s/ Robert Brunner

Name: Robert Brunner

Title: Authorized Signatory – Arik Air USA LLC

Exhibit A
Resolutions

**RESOLUTIONS OF
THE SOLE MEMBER OF
ARIK AIR USA LLC**

I the undersigned being the Receiver/Manager of Arik Air Limited (in Receivership), the Sole Member of Arik Air USA LLC (the “**Company**”), appointed pursuant to the provisions of Sections 387 of the Companies and Allied Matters Act Cap C20 LFN 2004, and a Deed of Appointment dated June 10, 2019, hereby pass the following resolutions and agree that the said resolutions shall be valid and effective for all purposes:

I RESOLVE THAT:

1. in the judgment of the Sole Member, it is in the best interests of the Company and its shareholders, as well as its creditors, and other interested parties, that there be a liquidation of the Company by and through the filing of a voluntary petition by the Company for protection under chapter 7 of title 11 of the United States Code (a “**Chapter 7 Bankruptcy**”), and the Company, therefore, hereby consents to, approves, and ratifies such Chapter 7 Bankruptcy filing;
2. Robert Brunner (the “**Authorized Officer**”) is, authorized, empowered, and directed to execute and verify a petition in the name of the Company under chapter 7 of the title 11 of the United States Code and to cause such petition to be filed in the United States Bankruptcy Court for the District of Delaware in a form and at a time as the Authorized Officer shall determine;
3. the law firm of Womble Bond Dickinson (US) LLP be employed to provide legal services to, and represent, the Company in connection with the Chapter 7 Bankruptcy and any other matters in connection therewith;
4. any person dealing with the Authorized Officer in connection with any of the foregoing matters shall be conclusively entitled to rely upon the authority of such Authorized Officer and by such Authorized Officer’s execution of any instrument, certificate, notice, or document, the same shall be a valid and binding obligation of the Company enforceable in accordance with its terms;
5. the Authorized Officer has the full authority to act on behalf of the Company and pay all necessary and reasonable fees and expenses incurred in connection with the actions and transactions contemplated by these resolutions;
6. in addition to the specific authorizations contained in these resolutions, the Authorized Officer may take any action and conduct any transaction in his/her judgment that is necessary, appropriate, or advisable in order to carry out fully the intent and purpose of the foregoing resolutions;
7. all acts lawfully done or actions lawful taken by the Authorized Officer prior to the adoption of these resolutions with respect to matters contemplated by these resolutions are



adopted, ratified, confirmed, and approved in all respects as the acts and deeds of the Company.

IN WITNESS WHEREOF, the undersigned has executed this resolution of the Sole Member of Arik Air USA LLC as of the date first written above.

ARIK AIR LIMITED

By: 

Receiver/Manager

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:)	Chapter 7
)	
ARIK AIR USA LLC, ¹)	Case No. 19-_____()
)	
Debtor.)	
)	

**DEBTOR'S STATEMENT OF
CORPORATE OWNERSHIP PURSUANT TO RULES 1007(a)(1)
AND 7007.1 OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE**

Pursuant to Rules 1007(a)(1) and 7007.1 of the Federal Rules of Bankruptcy Procedure, the above captioned debtor (the "Debtor") states that the following is a list of all corporations, other than governmental units, that directly or indirectly own 10% or more of any class of interests in the Debtor:

<u>Name</u>	Approximate Percentage of Interest Held
Arik Air Limited	100%

¹ The address for the Debtor is c/o Robert Brunner, P.O. Box 91, West Dover, Vermont 05356.

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

ARIK AIR USA LLC,¹

Debtor.


)
) Chapter 7

) Case No. 19-_____()
)
)
)
)

**DECLARATION CONCERNING DEBTOR'S STATEMENT
OF CORPORATE OWNERSHIP PURSUANT TO RULES 1007(a)(1)
AND 7007.1 OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE**

I, Robert Brunner, the designated authorized officer of the debtor in this chapter 7 case (the "Authorized Officer"), declare under penalty of perjury under the laws of the United States of America that I have reviewed the foregoing Debtor's Statement of Corporate Ownership Pursuant to Rules 1007(a)(1) and 7007.1 of the Federal Rules of Bankruptcy Procedure submitted herewith and that the information contained therein is true and correct to the best of my knowledge, information and belief.

Dated: 06 Dec, 2019



Robert Brunner
Authorized Officer
Arik Air USA LLC

¹ The last four digits of the Debtor's federal tax identification number are _____. The address for the Debtor is C/o Robert Brunner

PO Box 91
W. Dover, VT
05356

CREDITOR MATRIX

ABM Janitorial
JFK International Airport N.
N. Boundry Rd.,
Bldg. 79, Room 209
Jamaica, NY 11430

Airport Terminal Services
940 Westport Plaza, Suite 101
St. Louis, MO 63146

ARC
3000 Wilson Boulevard, Suite 300
Arlington, VA 22201

Bank of America Corporation
100 N. Tryon Street
Charlotte, NC 28255

Beckman and Beckman

Bevmax Office Centers
880 Third Avenue
New York, NY 10022

Bex LLC

Clarion Hotel
10750 Columbia Pike
Silver Spring, MD 20901

Contran Associates Inc.
2040 Utica Ave.
Brooklyn, NY 11234

CT Corporation
28 Liberty Street, Floor 42
New York, NY 10005

Delaware Secretary of State
Division of Revenue
820 N. French Street
Wilmington, DE 19801

Destiny Limo
866 E.18th Street
Brooklyn, NY 11230

Dunbar Armored Inc.
50 Schilling Road
Hunt Valley, MD 21031

Elite Airline Linen of New York, Inc
1107 Redfern Avenue
Far Rockaway, NY 11 691

Federal Express Corporation
942 South Shady Grove Road
Memphis, TN 38120

Global Security
825 E. Gate Blvd.
Garden City, NY 11530

Golden Touch Transporation of NY, Inc.
45-02 Ditmars Blvd., Suite 1019
Astoria NY 11105

Hilton - JFK
144-02 135 Avenue
Jamaica, NY 11436

Holiday Inn Express
3 Ravinia Drive, Suite 100
Atlanta, GA 30346

Hotel DePoint
20-07 127th Street
Flushing, NY 11356

Kaplan, Massamillo & Andrews LLC
70 E. 55th Street #25
New York NY 10022

Lamara-Nwoko, Maryann
1791 Prospect Avenue #3B
Bronx 10457

Lawrence Enterprises Partnership
166-07 Baisley Blvd.
Jamaica, NY 11434

LSG Sky Chefs Inc.
12 S. Service Road
Jamaica, NY 11430

New York State
Department of Taxation and Finance
Harriman Campus Road
Albany, NY 12226

NY Fuel Distributors LLC
235 Mamaroneck Ave.
White Plains, NY 10605

Owotomo, Olukunie
237 Shirley Avenue
Staten Island, NY 10312

PAX Assist
149 Beach 73rd Street
Arverne, NY 11692

Port Authority
of New York and New Jersey
4 World Trade Center
150 Greenwich St.
New York NY 10007

RGTS, Inc.
1290 6th Avenue
New York NY 10104

Road Flex Courier LLC
2016 Linden Blvd., Suite 24
Elmont, NY 11003

Rockville Center Inn
415 Ocean Avenue
Lynbrook, NY 11563

SSP America, Inc.
20408 Bashan Drive, Suite 300
Ashburn VA 20147

Swiss Lounge
Terminal 4, Kennedy International Airport
Jamaica NY 11430

Triange Services, Inc.
1 Central Terminal Area
Jamiaca, NY 14430

Ugbode, Felix
333 Hopkinson Avenue
Brooklyn, NY 11233

Internal Revenue Service
P.O. Box 7346
Philadelphia, PA 19101-7346

Office of the General Counsel
MS 0485
Department of Homeland Security
2707 Martin Luther King Jr Ave SE
Washington, DC 20528-0525

The Department of the Treasury
1500 Pennsylvania Avenue, NW
Washington, DC 20222

The Department of the Treasury
1 JFK Airport
Jamaica, NY 11430

Transportation Security Administration
601 12th Street S.
Arlington, VA 22202

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:

ARIK AIR USA LLC,¹

Debtor.

)
) Chapter 7

) Case No. 19-_____()
)
)
)

DECLARATION UNDER PENALTY OF PERJURY

I, the undersigned authorized officer of Arik Air USA LLC, named in this case (the “Debtor”), declare under penalty that I have read the foregoing and it is true and correct to the best of my knowledge, information, and belief.

Dated: 06 Dec ___, 2019



Robert Brunner
Authorized Officer

¹ The last four digits of the Debtor’s federal tax identification number are _____. The address for the Debtor is c/o Robert Brunner
PO Box 91
West Dover, VT
05356